FILED

'07 DEC -3 AM 9:54

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,

v.

Gary Lynn Astleford Defendant,

'07 MJ 2795

COMPLAINT FOR VIOLATION OF

Title 21, U.S.C., Sections 952 and 960
Importation of a Controlled Substance

The undersigned complaint being duly sworn states:

On or about December 2, 2007, within the Southern District of California, Gary Lynn Astleford, did knowingly and intentionally import approximately 18.55 kilograms of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Molly Reeve, Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3rd DAY OF DECEMBER 2007.

MAGISTRATE JUDGE

STATEMENT OF FACTS

On December 2, 2007, at approximately 0712 hrs, Gary Lynn Astleford, a United States citizen and national, entered the United States from the Republic of Mexico at the San Ysidro Port of Entry. ASTLEFORD was the driver and sole occupant of a white 1969 Ford F-250 pickup bearing California license plate 8E49061. Customs and Border Protection Officer (CBPO) Brown was working pre-primary operations when ASTLEFORD entered. CBPO Brown noticed an aftermarket modification to the truck bed. CBPO Brown received two negative customs declarations from ASTLEFORD.

CBPO Brown requested assistance from Canine Enforcement Officer (CEO) Delgado. CEO Delgado screened the vehicle with his Narcotic Detector Dog (NDD) United. NDD United alerted to the presence of a narcotic odor emanating from the bed area of the truck.

The vehicle was referred to the secondary inspection area where 32 packages containing approximately 18.55 kilograms of a green leafy substance were found concealed in a non-factory compartment behind the tool box in the bed of the vehicle. A presumptive test of one of the packages revealed a positive reaction to the presence of marijuana.

Post-Miranda, ASTLEFORD stated he knew the vehicle contained marijuana. ASTLEFORD stated he was to be paid $1500.00 USD to deliver the vehicle to Anaheim, California. ASTLEFORD said this was his first time smuggling narcotics since his arrest in 2000. ASTLEFORD stated he was smuggling narcotics in order to buy Christmas gifts.

Astleford was arrested and charged with violation of Title 21 USC 952, 960, Importation of a Controlled Substance, and was transported to Alvarado Hospital Medical Center, San Diego, CA.